

The City Council of the City of Mattoon held a rescheduled meeting in the City Hall Council Chambers on December 15, 2009.

Mayor Cline presided and called the meeting to order at 5:30 p.m.

Mayor Cline led the Pledge of Allegiance.

The following members of the Council answered roll call physically present: Absent Commissioner Randy Ervin, YEA Commissioner Tim Gover, YEA Commissioner Rick Hall, YEA Commissioner Chris Rankin, YEA Mayor David Cline.

Also physically present were City personnel: Interim City Administrator John Kolata, City Attorney & Treasurer J. Preston Owen, Police Chief David Griffith, Fire Chief Tony Nichols, Community Development Coordinator Kyle Gill, and City Clerk Susan O'Brien.

Mayor Cline seconded by Commissioner Rankin moved to approve the consent agenda consisting of minutes of the regular meeting December 1; special meetings December 7 and 8, 2009; Fire and Police Department reports for the month of November, 2009; bills and payroll for the first half of December, 2009.

Bills and payroll for the first part of December, 2009

General Fund

Payroll	\$	240,889.41
Bills	\$	<u>247,186.47</u>
Total	\$	488,075.88

Hotel Tax Fund

Payroll	\$	2,006.65
Bills	\$	<u>17,356.27</u>
Total	\$	19,362.92

Festival Management

Bills	\$	<u>2,476.25</u>
Total	\$	2,476.25

Insurance & Tort Judgment

Bills	\$	<u>167.38</u>
Total	\$	167.38

Capital Project Fund

Bills	\$	<u>17,415.54</u>
Total	\$	17,415.54

Water Fund

Payroll	\$	32,255.48
Bills	\$	<u>28,881.46</u>
Total	\$	61,136.94

Sewer Fund

Payroll	\$	30,260.18
Bills	\$	<u>79,004.13</u>
Total	\$	109,264.31

Cemetery Fund

Payroll	\$	2,711.09
Bills	\$	<u>562.23</u>
Total	\$	3,273.32

Health Insurance

Bills		\$	77,828.05
	Total	\$	77,828.05

Motor Fuel Tax Fund

Bills		\$	2,184.70
	Total	\$	2,184.70

Mayor Cline declared the motion to approve the consent agenda carried by the following vote: Absent Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Mayor Cline opened the floor for public comments/presentation and non-agenda items. There was no public discussion on non-agenda items.

Mayor Cline opened the floor for public review and discussion of agenda items. Administrator Kolata reviewed agenda items with attendees discussing various items.

Mayor Cline seconded by Commissioner Gover moved to adopt Ordinance 2009-5283, amending Section 110.14 "Licensing Schedule: Fees" of the City of Mattoon Code of Ordinances to consolidate fees into Section 35.01.

CITY OF MATTOON, ILLINOIS ORDINANCE NO. 2009-5283

AN ORDINANCE TO AMEND §110.14 "LICENSING SCHEDULE: FEES"

WHEREAS, the City of Mattoon desires to consolidate the fees contained in the Code of Ordinance into one part of such code.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mattoon as follows:

Section 1. Recitals. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. The following article of the City of Mattoon is amended as follows:

§ 110.14 LICENSING SCHEDULE; FEES.

No person shall engage in or maintain any of the following businesses or activities without a license therefore from the city and payment of the prescribed license fees as specified in §35.01.

~~Auctioneer~~

~~\$2.50 per day
\$7.50 per month
\$15 for three months
\$25 per year~~

~~Billiard or pool table~~

~~\$5 per year for first table
\$2 per year, each additional table~~

~~Billposter~~

~~\$1.50 per month
\$10 per year~~

~~Bowling alley~~

~~\$10 per alley per month
\$15 per alley per year~~

~~Handbill distributor~~

~~\$2 per day~~

~~Itinerant merchant or transient vendor~~

~~\$10 per day
\$25 per week~~

\$50 per month
\$75 for three months

Junk dealer

\$50 per year

Pawnbroker

\$10 per month
\$120 per year

Peddler or hawker

on foot, \$40 per year
with vehicle, \$75 per year
each additional assistant or employee, \$10 per year
for lesser periods, \$5 per day for each person

No license fee for any person selling or peddling goods
grown or produced by himself.

Roller skating rink _____ \$25 per year

Second hand dealer _____ \$25 per year
(Not including those dealing in household furniture only)

Shooting gallery

\$5 per day
\$15 per month
\$35 per year

Shuffleboard _____ \$25 per year for each shuffleboard
(68 Code, § 32.01) Penalty, see § 10.99

Section 3. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 4. This ordinance shall be effective upon its approval as provided by law.

RECORD OF THE VOTE	Motion	Second	Aye	Nay	Abstain	Absent
Mayor David Cline	X		X			
Commissioner Randy Ervin						X
Commissioner Tim Gover		X	X			
Commissioner Rick Hall			X			
Commissioner Chris Rankin			X			

Approved this 15th day of December, 2009.

/s/ David W. Cline
David W. Cline, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on December 16, 2009.

Mayor Cline called for comments with no response from attendees.

Mayor Cline declared the motion carried by the following vote: Absent Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Hall moved to adopt Ordinance 2009-5284, amending Section 52.21 "Collector License Fee" and Section 52.22 "Collection Vehicles; Classification; Fees" of the City of Mattoon Code of Ordinances to consolidate fees into Section 35.01.

**CITY OF MATTOON, ILLINOIS
ORDINANCE NO. 2009-5284**

AN ORDINANCE TO AMEND §§ 52.21, "COLLECTOR LICENSE FEE" AND 52.22, "COLLECTION VEHICLES; CLASSIFICATION; FEES"

WHEREAS, the City of Mattoon desires to consolidate into one ordinance various fees established by the City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mattoon as follows:

Section 1. Recitals. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. The following are amendments to §§ 52.21, "COLLECTOR LICENSE FEE" AND 52.22, "COLLECTION VEHICLES; CLASSIFICATION; FEES"

§ 52.21 COLLECTOR LICENSE FEE.

A collector license shall be issued to any qualified applicant upon the payment of the annual fee ~~of \$100~~ per §35.01.
(Ord. 86-4509, passed 6-17-1986; Am. Ord. 94-4766, passed 3-15-1994)

§ 52.22 COLLECTION VEHICLES; CLASSIFICATION; FEES.

(A) Collection vehicles operated within the City upon City streets, alleys, and other public ways shall be classified and licensed per the following. License fee amounts are per §35.01. License fees shall be paid prior to the start of the license year, which shall be from August 1 through July 31 of the following year.

(1) Class A: Completely enclosed, leak proof, garbage or refuse vehicles with self compactors shall be classified and licensed as Class A vehicles. ~~License fees of \$50 per calendar year shall be charged for such vehicles and the license year shall be from August 1 through July 31 of the following year.~~ Vehicles classified as Class A and licensed as Class A vehicles shall be permitted to pick up garbage and refuse without segregation.

(2) Class B: All other collection vehicles not meeting the criteria as set forth for Class A vehicles shall be classified and licensed as Class B collection vehicles. ~~A license fee of \$50 per calendar year shall be charged for each Class B vehicle.~~ Vehicles classified as Class B and licensed as Class B vehicles shall be permitted to collect refuse and bulk waste only. Class B collection vehicles are strictly prohibited from collecting garbage. Class B vehicles must be covered with suitable covers when transporting refuse to prevent refuse items from escaping the body of the vehicle.

~~(3) Class C: A fleet license may be purchased by fleet operators with ten or more vehicles all of which shall meet the definition of "Class A vehicles," as provided for in division (1) above. An annual license fee in the amount of \$1,500 shall be paid for a fleet license.~~

(B) All collection vehicles shall be emptied at a properly licensed landfill.

(C) All collection vehicles shall be properly cleaned, disinfected and sanitized to prevent the attraction of insects and vermin.

(D) ~~All license fees will be deposited into a special garbage and refuse collection fund.~~ Each vehicle for which an annual fee is paid will be issued a sticker indicating that the vehicle is licensed and the sticker must be placed on the front windshield of the vehicle near the right lower corner in such a fashion as to not obscure the vision of the operator of the vehicle.

(E) All license fees collected pursuant to this ~~chapter section~~ shall normally be used for the improvement and maintenance of alleys and streets.

(Ord. 86-4509, passed 6-17-1986; Am. Ord. 94-4766, passed 3-15-1994; Am. Ord. 98-4965, passed 11-17-1998) Penalty, see § 52.99

Section 3. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 4. This ordinance shall be effective upon its approval as provided by law.

RECORD OF THE VOTE	Motion	Second	Aye	Nay	Abstain	Absent
Mayor David Cline	X		X			
Commissioner Randy Ervin						X
Commissioner Tim Gover			X			
Commissioner Rick Hall		X	X			
Commissioner Chris Rankin			X			

Approved this 15th day of December, 2009.

/s/ David W. Cline
David W. Cline, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on December 16, 2009.

Mayor Cline called for comments with no response from attendees.

Mayor Cline declared the motion carried by the following vote: Absent Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Gover moved to adopt Ordinance 2009-5285, amending Section 35.01 "Fees and Charges" of the City of Mattoon Code of Ordinances to consolidate and set fees charged by the City.

CITY OF MATTOON, ILLINOIS
ORDINANCE NO. 2009-5285

AN ORDINANCE TO CONSOLIDATE AND SET FEES CHARGED BY THE CITY OF MATTOON, ILLINOIS

WHEREAS, the City of Mattoon desires to consolidate various fees now contained in the Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mattoon as follows:

Section 1. Recitals. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. Chapter 35.01 of the Mattoon Code of Ordinances is amended by repealing all of said Chapter and adopting in lieu thereof a new Chapter 35.01 as shown in Attachment A. The fees listed in Attachment A, if in conflict with the same fees now contained in the Mattoon Code of Ordinances, shall have precedence.

Section 3. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 4. This ordinance shall be effective upon its approval as provided by law.

RECORD OF THE VOTE	Motion	Second	Aye	Nay	Abstain	Absent
Mayor David Cline	X		X			
Commissioner Randy Ervin						X
Commissioner Tim Gover		X	X			
Commissioner Rick Hall			X			
Commissioner Chris Rankin			X			

Approved this 15th day of December, 2009.

/s/ David W. Cline
David W. Cline, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney & Treasurer

Recorded in the Municipality's Records on December 16, 2009.

Mayor Cline called for comments with no response from attendees.

Mayor Cline declared the motion carried by the following vote: Absent Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Commissioner Gover seconded by Commissioner Rankin moved to adopt Special Ordinance 2009-1370, authorizing the Mayor Cline and City Clerk to sign a promissory note in the amount of \$750,000.00 and associated documents with First Mid-Illinois Bank & Trust in connection with South Route 45 TIF and Business Districts.

**CITY OF MATTOON, ILLINOIS
SPECIAL ORDINANCE NO. 2009-1370**

**A SPECIAL ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK TO SIGN A PROMISSORY NOTE
AND ASSOCIATED DOCUMENTS WITH FIRST MID-ILLINOIS BANK & TRUST, N.A. IN CONNECTION WITH
SOUTH ROUTE 45 TIF AND BUSINESS DISTRICTS.**

WHEREAS, the City of Mattoon has entered into a redevelopment agreement with Sontejroh Corp. for the redevelopment of the former Sheraton Hotel property located at the intersection of Route 45 and Interstate 57; and,

WHEREAS, in order to induce Sontejroh Corp. to redevelop the property the City pledged to provide them Seven Hundred Fifty Thousand and no/100 Dollars (\$750,000.00) toward eligible projects costs associated with the redevelopment; and,

WHEREAS, the City desires to enter into a debt agreement with First Mid-Illinois Bank & Trust, N.A. in order to provide the promised incentive to Sontejroh Corp. in a timely manner; and,

WHEREAS, this debt agreement is for a ten year term with payments amortized over a twenty year period at the interest rate contained in the Promissory Note attached hereto as part of Exhibit "A"; and,

WHEREAS, the City intends to use funds from the South Route 45 TIF and Business Districts, and if necessary the General Fund of the City, to repay the amounts borrowed from First Mid-Illinois Bank & Trust, N.A.; and,

WHEREAS, the City believes that the TIF and Business District funds generated from this project alone will be in excess of the amount necessary to repay the amounts borrowed from First Mid-Illinois Bank & Trust, N.A.; and,

WHEREAS, the primary missions of the City of Mattoon are economic development and the creation of jobs for Mattoon and the surrounding areas; and,

WHEREAS, the redevelopment of the old hotel property at the intersection of Route 45 and Interstate 57 will be vital for the economic redevelopment of the area as a whole and will create jobs; and,

WHEREAS, the Constitution of the State of Illinois, at Article VII, Section 10 and the Statutes of the State of Illinois allow for the City of Mattoon to provide this type and form of development assistance to individuals and organizations.

WHEREAS, the Illinois Statutes, at 65 ILCS 5/8-1-3.1, allow the City of Mattoon to execute the type of obligation provided for in this Special Ordinance.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, A MUNICIPAL CORPORATION, as follows:

Section 1. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Special Ordinance.

Section 2. The Mayor and City Clerk are authorized and directed to sign the attached documents, attached hereto as Exhibit "A" and incorporated herein by this reference, for the issuance of a promissory note in the principal amount of Seven Hundred Fifty Thousand and no/100 Dollars (\$750,000.00) by First Mid-Illinois Bank & Trust, N.A. on behalf of Coles Together.

Section 3. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

RECORD OF THE VOTE	Motion	Second	Aye	Nay	Abstain	Absent
Mayor David Cline			X			
Commissioner Randy Ervin						X
Commissioner Tim Gover	X		X			
Commissioner Rick Hall			X			
Commissioner Chris Rankin		X	X			

Approved this 15th day of December, 2009.

/s/ David W. Cline
David W. Cline, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

/s/ Susan J. O'Brien

Susan J. O'Brien, City Clerk

APPROVED AS TO FORM:

/s/ J. Preston Owen

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on December 16, 2009.

Mayor Cline called for comments with no response from attendees.

Mayor Cline declared the motion carried by the following vote: Absent Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Hall moved to adopt Resolution 2009-2795: Approving an update to the City's Equal Employment Opportunity Plan referred to as EEOP.

**CITY OF MATTOON, ILLINOIS
RESOLUTION NO. 2009-2795**

A RESOLUTION APPROVING AN UPDATE TO THE CITY'S EQUAL EMPLOYMENT OPPORTUNITY PLAN

WHEREAS, the purpose of an Equal Employment Opportunity Plan is to insure full and equal participation of men and women regardless of race or national origin in the workforce of an agency that receives federal grant funds; and

WHEREAS, it is now necessary for the City Council to update its Equal Employment Opportunity Plan to maintain continued eligibility for federal grants.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS that the Mayor is authorized to sign a document indicating the Council's approval of an update to the City of Mattoon's "Equal Employment Opportunity Plan", a copy of which is attached hereto and incorporated by reference.

RECORD OF THE VOTE	Motion	Second	Aye	Nay	Abstain	Absent
Mayor David Cline	X		X			
Commissioner Randy Ervin						X
Commissioner Tim Gover			X			
Commissioner Rick Hall		X	X			
Commissioner Chris Rankin			X			

APPROVED this 15th day of December, 2009.

/s/ David W. Cline
David W. Cline, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on December 16, 2009.

Mayor Cline called for comments with no response from attendees.

Mayor Cline declared the motion carried by the following vote: Absent Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Gover moved to adopt Resolution 2009-2796, approving the appointment of Marsha A. True as Deputy City Clerk.

**CITY OF MATTOON, ILLINOIS
RESOLUTION 2009-2796**

A RESOLUTION APPROVING THE APPOINTMENT OF A DEPUTY CITY CLERK

WHEREAS, the City of Mattoon currently does not have an appointed Deputy Clerk, and

WHEREAS, a Deputy City Clerk is required in the event of the absence of the City Clerk, and,

WHEREAS, the City Clerk is recommending the appointment of Mrs. Marsha A. True as the Deputy City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mattoon as follows:

Section 1. Recitals. The facts and statements contained in the preamble to this resolution are found to be true and correct and are hereby adopted as part of this resolution.

Section 2. Mrs. Marsha A. True is approved and appointed as the Deputy City Clerk to carry out the duties prescribed by the Personnel Code and 65 ILCS 5/3.1-35-95.

Section 3. This resolution shall be deemed published as of the day of its adoption and approval by the City Council.

Section 4. This resolution shall be effective upon its approval as provided by law.

RECORD OF THE VOTE	Motion	Second	Aye	Nay	Abstain	Absent
Mayor David Cline	X		X			
Commissioner Randy Ervin						X
Commissioner Tim Gover		X	X			
Commissioner Rick Hall			X			
Commissioner Chris Rankin			X			

Approved this 15th day of December, 2009.

/s/ David W. Cline
David W. Cline, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on December 16, 2009.

Mayor Cline called for comments with no response from attendees.

Mayor Cline declared the motion carried by the following vote: Absent Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Commissioner Hall seconded by Commissioner Rankin moved to approve Council Decision Request 2009-1043, approving a \$17,000 grant by the Tourism Advisory Committee from hotel/motel tax funds to Mattoon Pride Softball, Inc. for the purpose of holding five softball tournaments in 2010:

ASA Season Opener	April 10-11
National Jr. College Assoc. Region 24	May 8-10
Mattoon Pride Memorial Day Classic	May 29-30
Mattoon NSA World Series Qualifier	June 11-12
Mattoon Bagelfest Tournament	July 17-19, 2010.

Mayor Cline called for comments with no response from attendees.

Mayor Cline declared the motion carried by the following vote: Absent Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Commissioner Hall seconded by Commissioner Rankin moved to approve Council Decision Request 2009-1044, approving the appointment of Mike Kallis to the Mattoon Arts Council for a three-year term, expiring September 30, 2012.

Mayor Cline called for comments with no response from attendees.

Mayor Cline declared the motion carried by the following vote: Absent Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Mayor Cline recessed the meeting to Cody's Road House Restaurant, 1320 Broadway Avenue East; Mattoon, at 5:43 p.m. for a reception of the candidate for the successor city administrator position.

Council reconvened from recess at 6:10 p.m.

Mayor Cline introduced Mr. Preston Owen, a leading candidate for the successor city administrator position.

A public reception followed.

Commissioner Hall seconded by Commissioner Gover moved to recess at 6:53 p.m. to closed session pursuant to the Illinois Open Meetings Act for the purpose of considering the employment, performance or dismissal of employees of the municipality (5 ILCS 120(2)(c)(1)):

- Interviewing leading candidate, Mr. Preston Owen, for the successor city administrator position

Mayor Cline declared the motion carried by the following vote: Absent Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Council reconvened from closed session at 7:53 p.m.

Commissioner Hall seconded by Commissioner Gover moved to adjourn at 7:53 p.m.

Mayor Cline declared the motion carried by the following vote: Absent Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

/s/ Susan J. O'Brien
City Clerk